

UNITED STATES DISTRICT COURT
for the
SOUTHERN DISTRICT OF INDIANA

FILED
U.S. DISTRICT COURT
INDIANAPOLIS DIVISION
2013 MAY 10 PM 2:55
SOUTHERN DISTRICT
OF INDIANA
LAURA A. BRIGGS
CLERK

Malibu Media,
Plaintiff

v

Glenn Nopal,
Defendant

Civil Action No. 1:13-cv-00202-SEB.MJD

I
ADMISSIONS AND DENIALS

2. Defendant denies the allegations about being an online infringer. Defendant denies the allegations of illegally downloading and redistributing copyrighted material. The Defendant denies the allegations of illegally downloading and distributing each of the copyrighted materials set forth in Exhibits A, B, C. state in paragraph 2.

5. Defendant denies committing any of the alleged conduct of copyright infringement as stated in paragraph 5.

8. Admits to have been a resident at 751 Greenridge Dr. apt F, Brownburg, IN 46112.

I. Defendant denies the allegation of using BitTorrent File Distribution Network to infringe Plaintiffs' Copyrights as stated in paragraph 9 and paragraph I under Factual Backgrounds.

12. Defendant denies being an infringer of copyrighted materials as stated in paragraph 12.

13. Defendant denies downloading and having been assigned a unique cryptographic hash value to commit copyright infringement.

15. Defendant denies downloading unique cryptographic hash values as stated in paragraph 15.

16. Defendant denies having knowledge of IPP Limited establishing a direct connection to TCP/IP as stated in paragraph 16.

17. Defendant denies having one or more bits of each of the digital movie files identified by the file hashes on Exhibit A as stated in paragraph 17.

18. **RECEIVED** Defendant denies the allegation of downloading copyrighted materials owned by Plaintiff on Exhibit B stated in paragraph 18.

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INDIANAPOLIS, INDIANA

19. Defendant denies committing copyright infringement. Defendant denies being the party that IPP Limited downloaded the one or more bits of copyrighted material. Defendant finds it unusual that IPP Limited would provide BitTorrent files for people to download.
20. Defendant denies committing copyright infringement. Defendant denies having one or more bits of each media file as identified on Exhibit A for IPP Limited to download.
22. Defendant denies committing copyright infringement of materials in exhibit A, B, and C.
23. Defendant admits to be the subscriber of the IP address, but denies infringing the Plaintiffs' copyrighted materials. Defendant denies allegations of being 'the most likely infringer'. Defendant denies being the infringer.
24. Defendant denies being the infringer and denies committing copyright infringement stated in paragraph 24.
29. Defendant denies using BitTorrent to infringe on Plaintiff's copyrights. Defendant denies copying and distributing any of the materials/original works covered by the Copyrights-in-Suit.
30. Defendant denies committing copyright infringement. Defendant denies distributing Plaintiff's copyrighted materials as stated in paragraph 30.
31. Defendant denies violating Plaintiff's exclusive rights and denies committing copyright infringement as stated in paragraph 31.
32. Defendant denies committing copyright infringement. Defendant denies having infringed copyrighted materials stated in paragraph 32.

II.
DEFENSES

1. Defendant admits to owning the ISP in question at the address stated.
2. Defendant admits having an unsecured open wireless access point.
3. Defendant lives in a busy apartment complex, where the nearest neighbors are less than 10 yards away, and denies having knowledge of ISP being used for the purpose of copyright infringement.
4. Defendant admits that the ISP in question may have been used by other occupants in the apartment complex, and denies being the copyright infringer.
5. There is no connection to the material being infringed was by the Defendant other than by use of the ISP, which may have been abused by another party.

Respectfully Submitted,

 05/06/13

Glenn Nopal